

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 6, 1974

1:00 P.M.

Electric Auditorium

301 West Avenue

The meeting was called to order with Mayor Butler Presiding.

Roll Call:

Present: Councilmen Binder, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love

Absent: Councilman Dryden

The Invocation was delivered by MR. DAVID E. HOLT, Director, Library.

RECOGNITION - JOHN ROBERTS, INC.

Mayor Pro Tem Love read and then presented a resolution to Mr. John Tyler, John Roberts, Inc., signed by the Mayor and Council in recognition of their generosity for having contributed .6 acres of valuable private property along Boggy Creek to Austin and its residents and for their public spirit and concern for Austin's natural heritage for recreational enjoyment. Mr. Tyler thanked the Council.

RECOGNITION - FOREMOST LIFE INSURANCE COMPANY

Mayor Pro Tem Love read and then presented a resolution to Mr. John M. Ryan, Foremost Life Insurance Company, signed by the Mayor and Council in recognition of their generosity for having contributed 3.5 acres of valuable private property located along Boggy Creek to Austin and its residents and for their public spirit and concern for Austin's natural heritage for recreational enjoyment. Mr. Ryan thanked the Council and noted that he had on occasions been in Austin and had been impressed with the beauty and cleanness of the area. He added that this did not come about by chance but by planning and that on behalf of the Company, they offered this service that they might be a small part of this plan.

## SUMMER ANTI-CRIME PROGRAM

Mayor Butler announced that he would present a Summer Anti-Crime Plan that had been prepared by the City Manager and the Police Department. He stated that they had continued to monitor the various crime rates in Austin since implementation of the crime plan in February, 1972, and that during 1972 and for the first half of 1973, Austin experienced a major decrease in the overall crime rate. He indicated that one of the reasons for this was the full manpower strength that had been a part of the plan. He was concerned about recent statistics indicating that certain major crimes were increasing in Austin, and he would be presenting a program which would result in a concentrated effort for the summer months that hopefully would reduce these crime rates. He noted that this program would provide an adjustment of manpower assignments; innovations to improve the effectiveness of the Police personnel; and a broad program to get the citizens involved. He added that details of the program had been designed at his request by the City Manager working through the Police Chief and key Police administrators. He further noted that there would be no additional cost required but merely a readjustment of resources already within the budget. He expressed his confidence in the possibilities of the program and asked for the participation of each Council member and all citizens of Austin to provide assistance for the officers as they carried out their responsibilities of protecting the City.

Mr. Dan Davidson, City Manager, indicated that CHIEF BOB MILES had been working with top staff in the Department and had initiated a number of steps that could be taken to help offset some of the trends that had been noticed for the first four months of 1974. He then introduced Chief Miles.

Chief Miles reiterated that about the middle of 1973 the index crimes began to rise and rose to the extent of 5.4%, and in 1974 they have continued to rise to the following extent:

Murder	- 77.8% increase	Burglary	- 33.3% increase
Rape	- 112.5% increase	Theft	- 48.3% increase
Robbery	- 57.5% increase	Auto Theft	- 29.0% increase
Aggravated Assault	- 32.4% reduction	Overall	- 29.3% increase

He noted that the Department was grateful for the support of Mayor Butler and the Council and believed that with the program there would be adjustments made. City Manager Davidson indicated that the figures had been presented for the Council and public to see what the increases had actually been. He introduced MAJOR DON DOYLE representing some administrative action taken within the Department to help address the needs as they saw them.

Major Doyle outlined some of the action to be taken:

1. Rotation of staff officers in duty assignments.
2. Reassignment of uniformed personnel to patrol duties.
  - a. 12 from Criminal Investigation Division (CID).
  - b. Trained civilians for breathalyzer tests instead of field sergeants.

3. Realignment of patrol sectors and radio channels for improved communication and supervision.
4. Increased liaison between the uniform and criminal investigation divisions by having weekly meetings.
5. Revision of assignments to insure full district coverage.
6. Alternation of tactical squad to include uniformed as well as plain-clothes assignments.
7. Attendance at the Crime Prevention School sponsored by the Criminal Justice System in San Antonio.

On behalf of the Uniform Division, he expressed their appreciation to Mayor Butler and the Council and the City Manager and thanked them for the support they had given. City Manager Davidson felt that it was important that the citizens feel confident that the City had personnel within the Department capable of carrying out this type of function. He noted that another section of the program that was very important was the plan for individual citizen's participation. He then introduced CAPTAIN HARLAND MOORE.

Captain Moore outlined the citizen involvement as follows:

1. Operation Identification which would involve the permanent marking of valuable property with the owner's drivers license number and the posting of a warning sticker on a house, apartment, or automobile. Even though this was already in operation, he noted that this would be expanded by working with the Austin Apartment Association, local businesses, and public information campaign.
2. Alert Citizen Program which would encourage citizens to report suspicious persons, happenings, and circumstances to the Police Department. He noted that this program was underway and would be expanded by the Austin Apartment Association.
3. Auto Theft Prevention Program which would entail a billfold size card designed to identify ways to prevent auto theft and with space to record vital information about a vehicle for quick reference if stolen. He noted that these would be printed and distributed to each car owner along with his license plates through the County Tax Assessor-Collector.
4. Participation with local businesses and the Capital Area Security Council. He noted that through the Security Council this program would be expanded and supplemented in order to provide crime prevention information on a broader scale to local businesses.
5. Public Information Campaign through local news and information media, local civic clubs and service organizations. They hoped to ask civic clubs and service organizations to provide the Department with time to speak to those groups to show movies and to get crime prevention before the public.

In conclusion, he thanked the Council for their support.

LT. ERNIE HINKLE reviewed some of the ways a citizen could help in crime prevention:

1. Whenever you leave home, make sure that doors and windows are locked.
2. Keep your garage door closed and locked at all times, whether home or not.
3. Keep a record of serial numbers of such merchandise as television sets, radios, stereos, pistols, rifles, etc.
4. Keep valuable stamp, jewelry and coin collections in a safe deposit box.
5. Trim any shrubbery around entrances so that it cannot provide a protective screen for burglars.
6. Remove key from auto ignition and keep vehicles parked in driveway locked.
7. When you leave town, notify Police Department of departure date and expected return.
8. When you leave town, stop all deliveries of mail, newspapers, etc.
9. If possible, set a timer switch to turn the lights in the house on and off at pre-determined times if out of town.

He thanked Mayor Butler and the Council for their support in the crime prevention program and felt that this support was the "backbone" of the Police Department. In conclusion, he invited anyone to stop a unit on the street if for nothing more than to say "hello."

City Manager Davidson felt that this was an appropriate time to undertake a new emphasis toward crime prevention and a good time to appeal for help from citizens and from special business and interest groups throughout the community. He pointed out that the Department was qualified and ready to get this program underway. He thanked the Council for the opportunity to present this.

At this point Chief Miles introduced other officers of the Department who had input into this program:

Captain Harvey Gann	- Special Services
Deputy Chief R. B. Laws	
Captain K. Thomas	- Criminal Division
Captain T. Olsen	- Uniform Division
Captain Bob Parsons	- Criminal Division
Lt. Wilson	- Service Division, Training Officer
Sgt. A. R. Schulle	- In-Service Training
Lt. Ira Frisinger	- Traffic Section
Lt. John Vasquez	- Service Division

Mayor Butler noted that this was an excellent program and wanted to introduce three citizens representing groups that would be very effected by this program. However, he further noted that he was proud of the Department and felt that this plan would better utilize the good material in the Department. He took this opportunity to introduce MR. TRAVIS ECKERT, President of the Austin Association of Insurance Agents (the Association that started Operation Identification 2 years ago.)

Mr. Eckert pledged the Association's support behind this program and hoped that it could be implemented as quickly as possible. He pledged the funds necessary to make this a successful program again.

MR. CHUCK MARTIN, Executive Director of the Austin Apartment Association, complimented Mayor Butler, the Council, City Manager Davidson, and the Police Department for their continued efforts in the crime prevention field. On behalf of the Association, he pledged the support of nearly 500 members representing 30,000 apartment units in Austin. He noted that the Association began three years ago helping to prevent crime through their own identification program. He felt that Austin was but a step away from a Resident Alert System protecting nearly 90,000 Austin Apartment Association dwellers. In conclusion, he wanted to compliment Mayor Butler's efforts by pledging 110% support for the program.

MR. VIC MATHIAS, Executive Vice-President of Austin's Chamber of Commerce and representing Chambers Capital Area Security Council, felt that it was the business of the Council and Police Department to help prevent crime and also the business of every other citizen in the community. He thought that perhaps through their organization they could help in this way. He noted that the Security Council would look at any programs that it could to fit in with this particular program. He further noted that the organization operated the Alert System which involved about 350 businesses in the community which enabled them to get in telephone communication within less than an hour. He felt that perhaps some other means could be devised through some of their other activities. He commended the Council for their efforts and hoped his organization could be of some help to the Council.

Councilman Lebermann remarked that he had had no idea of the very thoughtful efforts that had gone into this program and commended City Manager Davidson, Chief Miles, and the Police Department. Mayor Pro Tem Love expressed the same feeling and thanked the three gentlemen who appeared on behalf of the other interest groups. Councilman Handcox dittoed the remarks made and noted that the figures made him more aware of what the proposals were to solve the problem. Mayor Butler hoped that everyone could get together in 90 days and come back with a great improvement and thanked the Department once again.

In response to Councilman Friedman's questions involving the reassignment of officers from the Drug Enforcement Unit and Task Force into the Criminal Investigation Division, Chief Miles indicated that this would only be for the summer months because burglary and homicide had the highest percentage. He noted that the Special Service Division would continue to cooperate during this time and that the problem had been abated to the extent that the men would not be as effective where they were as they would be in the CID. In regard to this, City Manager Davidson felt that this would allow the Department to provide emphasis in a particular area or at a particular time and allow them to be more flexible with personnel. He also felt that this was a very innovated approach, and he commended the Department for this program.

## APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of May 30, 1974, (12:00 noon) and the Regular Meeting Minutes of May 30, 1974, (1:00 p.m.). The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Lebermann  
Noes: None  
Absent: Councilman Dryden  
Not in Council Chamber when roll was called: Councilmen Binder

## APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier that day and that appointments were discussed and were now before the Council for action.

Board of Equalization

Councilman Lebermann moved that the Council appoint the following to the Board of Equalization:

R. L. Phinney

E. E. Stuessy

Fred Barkley

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Dryden

Councilman Lebermann pointed out that these three gentlemen would hold a press conference to make known the time of their meetings and to discuss certain ad valorem tax circumstances for this year. Mayor Butler encouraged the Council to be there also because this would be the first year in two years since the Council had eliminated the quadrant system and had a moratorium on reevaluations. This year he expected quite a few appeals and felt that some information should be given to the public as to processes. He suggested that a time be arranged suitable with the Council and the new appointees.

## ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for public hearing at this time.

The Council publicly heard, granted and instructed the City Attorney to draw the necessary ordinances to cover the following zoning changes:

SOUTHWESTERN ANALYTICAL 821 East Woodward  
 CHEMICALS, INC. Street  
 By C. H. Hale  
 C14-74-053

From "A" Residence  
 To "D" Industrial  
 RECOMMENDED by the Planning  
 Commission

Mayor Pro Tem Love moved that the Council grant "D" Industrial District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox,  
 Lebermann, Mayor Butler  
 Noes: None  
 Absent: Councilman Dryden

The Mayor announced that the change had been granted to "D" Industrial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

FRANK H. MILBURN  
 By Carlisle Bryan  
 C14-74-055

4210 Avenue B

From "A" Residence  
 To "B" Residence  
 RECOMMENDED by the Planning  
 Commission

No opposition appeared in reference to this change. Councilman Binder stated that the neighborhood was concerned and that they were against apartments. Councilman Lebermann moved that the Council grant "B" Residence District as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
 Love  
 Noes: Councilmen Binder, Friedman  
 Absent: Councilman Dryden

The Mayor announced that the change had been granted to "B" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN PREMIUM  
 FINANCE, INC.  
 C14-74-057

805 Rio Grande Street

From "B" Residence  
 To "O" Office  
 RECOMMENDED by the Planning  
 Commission

Councilman Handcox moved that the Council grant "O" Office District as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
 Mayor Pro Tem Love, Councilman Binder  
 Noes: None  
 Absent: Councilman Dryden

The Mayor announced that the change had been granted to "O" Office District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROBERT G. HALL, TOM	2317-2321 San Antonio	From "C" Commercial
F. STEELE, L. W.	Street	To "C-2" Commercial
OEHMIG and THE	411-419 West 24th	RECOMMENDED by the Planning
CASTILIAN PARTNER-	Street	Commission
SHIP		
By Tom Curtis		
C14-74-063		

Mayor Pro Tem Love moved that the Council grant "C-2" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Friedman  
 Noes: None  
 Absent: Councilman Dryden

The Mayor announced that the change had been granted to "C-2" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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TROJAN L. TIDWELL,	1801 Koenig Lane	From "A" Residence
ET UX		To "O" Office
C14-74-059		RECOMMENDED by the Planning
		Commission, subject to 1/2
		the right-of-way (ten feet)
		necessary to increase Koenig
		Lane to the planned 90 feet

Mr. Dennis Cowan, 1709 Koenig Lane, appeared in opposition to this change stating that his home was next door to this property and that he did not want businesses next to him. He felt that this was a spot zone and that it was not recommended by the Planning Commission as there were only four members present. Mr. Dick Lillie, Director of Planning Department, stated that this was the Zoning Committee and that there were eight members present at the Commission meeting. In response to Councilman Binder's question, Mr. Lillie reviewed the zoning in the area and said that he expected conversion to commercial. Mr. Tidwell, the applicant, appeared in his own behalf stating that he wanted to improve the property and intended to remodel the house located there now into two offices, one for his real estate office and one to rent. He indicated that there was parking in the rear of the property. Mayor Pro Tem Love moved that the Council grant "O" Office District subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox  
 Noes: None  
 Absent: Councilman Dryden

The Mayor announced that the change had been granted to "O" Office District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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FOREMOST LIFE INSURANCE COMPANY By Robert C. Sneed C14-74-056	7621-7723 Circle S Road 7725-8015 U. S. Highway 81 (South Congress Ave.) 100-242 and 101-241 Foremost Drive; 7718-8010 South I. H. 35	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area and "A" Residence 1st Height and Area (as amended) RECOMMENDED as amended by the Planning Commission
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Mayor Pro Tem Love moved that the Council grant "GR" General Retail District, 1st Height and Area, and "A" Residence, 1st Height and Area District (as amended), as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox, Lebermann  
Noes: None  
Absent: Councilman Dryden

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and "A" Residence, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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HIXON DEVELOPMENT COMPANY By William Davidson, Jr. C14-74-052	1634-1656 & 1700-1720 East Riverside Drive; 1700-1712 & 1701-1721 South Lakeshore Drive	From "B" Residence To "GR" General Retail (as amended) (Tracts 1 and 2) RECOMMENDED by the Planning Commission as amended, subject to a building setback to allow the purchase of the required right-of-way
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Councilman Binder noted that there was opposition to this change at the Planning Commission hearing. Mr. Bill Davidson, representing the applicant, stated that the opposition had been to "C" Commercial District, and they had amended the application; and there was no opposition to "GR" General Retail District. Mr. Lillie stated that "GR" was recommended. After brief discussion, Mayor Pro Tem Love moved that the Council grant "GR" General Retail (as amended) (Tract 1 and 2), subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love  
Noes: Councilman Friedman  
Absent: Councilman Dryden

The Mayor announced that the change had been granted to "GR" General Retail District, as amended, (Tracts 1 and 2), subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

STERLING HOLLOWAY  
ET UX  
C14-74-060

6701-7005 South I.H.  
35; 1601-1619 North  
Bluff Drive

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area and  
"GR" General Retail  
2nd Height and Area  
(as amended)

RECOMMENDED as amended by the Planning Commission subject to right-of-way and building setback necessary to provide 120 feet of right-of-way for North Bluff Drive as determined by the Engineering Department (right-of-way and building setback requirements to be consistent with Commission's right-of-way policy)

In reply to Councilman Binder's inquiry, Mr. Lillie stated that the 2nd Height and Area would permit construction of a building to the height of 60 feet. Councilman Binder questioned this height for this area. Mr. Sterling Holloway represented himself and stated that there were no plans for the development of the property at the present time. He said that at one time a hotel chain had an option on the property and that the zoning request was for 1st Height and Area (35 feet) on the front portion and 2nd Height and Area (60 feet) on the back portion; and though the hotel chain had not exercised its option, he felt that this was still good zoning. Mr. Holloway wanted to clarify the right of way, stating that 70 feet would be given free of cost to the City, and anything else would be negotiated. Mayor Pro Tem Love moved that the Council grant "GR" General Retail, 1st Height and Area District, and "GR" General Retail, 2nd Height and Area District, as amended, subject to right-of-way and building setback necessary to provide 120 feet of right-of-way for North Bluff Drive as determined by the Engineering Department (right-of-way and building setback requirements to be consistent with Commission's right-of-way policy.) The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love  
Noes: Councilman Binder  
Absent: Councilman Dryden

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and "GR" General Retail, 2nd Height and Area District, as amended, subject to conditions, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

## ZONING DENIED

DON BECKER  
By Teddy Henderson  
C14-74-042

5606 Jim Hogg Avenue

From "BB" Residence  
To "B" Residence  
(as amended)

RECOMMENDED as amended by the  
Planning Commission, subject  
to 5 feet of right-of-way on  
Jim Hogg Avenue

Councilman Binder noted that the Staff did not recommend this change. Mr. Lillie said that he felt the zoning was adequate. No one appeared either for or against this zoning. Councilman Binder moved that the zoning change be DENIED. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox,  
Lebermann, Mayor Butler  
Noes: None  
Absent: Councilman Dryden

The Mayor announced that the change was DENIED.

## RELEASE OF EASEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a Public Utilities Easement ten (10.00) feet  
in width which lies across Lot 5-A, Block M, FIRST RESUB-  
DIVISION OF BLOCK M, QUAIL CREEK, PHASE 2, SECTION 3.  
(Requested by Austex Development Company, Ltd., owner.)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Dryden

## APPLICATION TO FUND "SYSTEMS MANAGEMENT FOR TRAFFIC SAFETY"

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to submit an application to the Governor's Office on Traffic Safety for \$44,140.00 to fund a "Systems Management for Traffic Safety." The contract period will cover a three-year period, and the 50% match will be provided by in-kind contributions from staff. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro  
Tem Love, Councilmen Binder, Friedman  
Noes: None  
Absent: Councilman Dryden

## DEDICATION OF LAND

Councilman Lebermann moved that the Council adopt a resolution accepting dedication of certain strips of land along Boggy Creek for use as open space, green belt, or recreation. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilman Binder, Friedman, Handcox  
Noes: None  
Absent: Councilman Dryden

## ADDITIONAL NATURAL GAS PURCHASES

It was noted that consideration of additional natural gas purchases for the City of Austin electric utility was before the Council. Mr. R. L. Hancock, Director of Electric Utility, indicated that this was a request for authority for the City Manager to execute a letter of agreement between LCRA and Austin for two packages of gas:

1. Permanent long-term package in the order of 1.66 million cubic feet per day.
2. Short-term spot gas agreement for 20 million cubic feet in June and 30 million in July, August, and September.

He noted that the price of the gas at the wellhead would be \$1.30 a million and that the spot gas purchase would be available to Austin through LCRA through a previous letter of intent they had filed with respect to a methanol contract, which would provide some spot gas available to them at a later date.

Councilman Lebermann moved that the Council authorize the City Manager to enter into an agreement with the Lower Colorado River Authority and with those necessary parties to complete purchases of the two afore-mentioned gas items. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilman Binder, Friedman,  
Handcox, and Lebermann  
Noes: None  
Absent: Councilman Dryden

## CONTRACT AWARDED

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

AQUAMARINE CORPORATION	- Aquatic Vegetation Control System,
1116 Adams Street	Vehicle & Equipment Services Department
Waukesha, Wisconsin	Item 1; 1 ea. @ \$37,097.00
	Item 2; 2 ea. @ \$24,972.00
	Total - \$87,041.00

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox,  
Lebermann, Mayor Butler  
Noes: None  
Absent: Councilman Dryden

City manager Davidson noted that the Council had authorized the purchase of a weed cutter and debris gathering equipment to operate on Town Lake that has been used effectively on Lake Austin off and on. He added that the Council, on Councilman Lebermann's request authorized the purchase of an additional unit to be placed on Lake Austin along with some additional barge equipment to improve the efficiency of the first unit. He felt that the purchase of this latest equipment would enable the Parks and Recreation Department to do an even better job of maintaining both Town Lake and Lake Austin from weeds and litter. He concluded that he was very happy to get this underway.

#### WATER LINE EASEMENT AND TEMPORARY LICENSE

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to execute a water line easement and temporary license from the United States of America, Department of the Army. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Handcox, Lebermann, Mayor  
Butler, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Dryden

#### ACQUISITION OF LAND FOR ST. JOHN'S PARK

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of 7403-7405 Providence (Rev. and Mrs. Joe Dixon) for St. John's Park. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Dryden

#### ACQUISITION OF LAND FOR EAST RUNDBERG LANE

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing acquisition of East Rundberg Lane at Cloud Drive (Point Vista Associates) for East Rundberg Lane, I. H. 35 to Cameron Road. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Dryden

## APPLICATION FOR MEMBERSHIP IN LIBRARY SYSTEM

Councilman Lebermann moved that the Council adopt a resolution approving an Austin Public Library application for membership in the Texas State Library System for fiscal year 1974-75. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Dryden

## CONTRACT FOR AUDIT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to execute a contract with Touche Ross & Company for the audit of OEO, HEW, and VISTA accounts for the City of Austin Community Development Office in the amount of \$5,500.00. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Friedman  
Noes: None  
Absent: Councilman Dryden

## ARCHITECTURAL SERVICES

Selection of architectural services in connection with the following 1974 Capital Improvements Program project for the Library Department was postponed indefinitely, pending Councilman Dryden's return:

Central Library (Capital Improvements Program Project No. 8512 1.)

## CANCELLATION OF MEETING

It was noted that the official cancelling of the Regular Council Meeting scheduled for July 4, 1974, and resetting all hearings set for that date for July 11, 1974, was before Council for action. Ms. Helena Hardcastle appeared before Council requesting that File No. C14-74-062, originally scheduled for July 4, be postponed because of the number of people effected who would be out of town on vacation during July and August. She suggested that this be postponed until September 5, 1974. Councilman Friedman thought that August 1, 1974, would be sufficient time; however, Ms. Hardcastle did not feel this way.

Councilman Friedman moved that the Council adopt a resolution officially cancelling the Regular Council Meeting scheduled for July 4, 1974, and resetting all hearings set for that date for July 11, 1974, with the following exception to be scheduled for August 1, 1974:

JOHN M. WEINSTOCK,  
ET AL  
By Paul Davis, Jr.  
C14-74-062

Various properties within From "B" Residence  
the Old West Austin Neigh- 2nd Height and Area and  
borhood located on the "C" Commercial  
following streets: Harthan 2nd Height and Area  
Street, Blanco Street, To "A" Residence  
Baylor Street, Oakland 1st Height and Area  
Street, Highland Street,  
Brownlee Circle, Pressler  
Street, Winflo Street,  
Shelley Street, West 6th,  
6-1/2, 7th, 9th and 10th  
Streets

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Friedman, Handcox  
Noes: None  
Absent: Councilman Dryden

#### REFUND CONTRACT - SECOND READING

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH LOGAN MELTON AND DAVID B. BARROW. (Northview Hills, Section 2)

The ordinance was read the second time, and Mayor Pro Tem Love moved the ordinance be passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Handcox, Lebermann  
Noes: Councilmen Binder, Friedman  
Absent: Councilman Dryden

#### REFUND CONTRACTS - FINAL READINGS

Mayor Butler brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH EDWARD R. RATHGEBER, JR., CECIL D. PERKINS, AND DORIS HARRIS WARLICK; AND BAKER-CROW COMPANY. (Onion Creek Plantations; Great Hills, Section IV)

The ordinance was read the third time, and Mayor Pro Tem Love moved the ordinance be finally passed. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Handcox, Lebermann  
Noes: Councilmen Binder, Friedman  
Absent: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

## ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 1.47 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES ROGERS SURVEY; 90.20 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; AND 194.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

Absent: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

At this point Mayor Butler announced that Mayor Pro Tem Love would be leaving to attend a ceremonial function for the City.

## REPORT ON STATUS OF WOMEN IN AUSTIN CITY GOVERNMENT

Ms. K. W. Bieberdorf, President of Texas Women's Equity Action League, appeared before the Council to present a report on the status of women in Austin City government. She noted that WEAL was a national women's rights organization dedicated to improving the status and lives of American women and that their goal was equal participation in society all the rights and responsibilities of full citizenship. She indicated that the report, which was distributed to the Council, had been prepared by the Austin Chapter and that its purpose was to point out the inequities that women were finding when they were seeking a career with the City. She noted that according to the United States Department of Labor there were 33 million women working outside the home. She further noted that of the total females 16 years or older living in Austin, 47.5% were in the labor force. She reiterated that the report pertained to the status of women in Austin City government and the opportunities available for women in this field and that they had excluded employment figures from Brackenridge Hospital in this report in order to present a reasonable picture of the pattern of employment opportunities in government, and she stated that a report on the status of women at the Hospital would be forthcoming because that department was important enough to receive a full report of its own.

Ms. Bieberdorf proceeded to read the report; but Mayor Butler requested that she leave the report with the Council, and they would come back next week with a recommendation. City Manager Davidson indicated that this was the first opportunity he had had to see the report. She stated that her point in presenting this was to coincide with Council's review of Austin's affirmative action policies. City Manager Davidson requested the opportunity to review this with Ms. Bieberdorf along with Ms. Andrea Beatty, Personnel Director, and present their response to Council at a later date.

There was discussion from the Council, and Councilman Lebermann asked her to allow the Council to accept this excellent and detailed report with gratitude and "hook it into the procedural apparatus." In response to Councilman Friedman's remarks that the Council was interested in doing something about the status of the women in the work force of the City, Ms. Bieberdorf commented that she was disappointed in the delay of Council's review of the affirmative action plan. In regard to this, City Manager Davidson noted that it had not been submitted to the Council for review and that the staff was waiting on response from other citizens and groups. Councilman Binder indicated that the Council did want to do something to improve the situation, and Councilman Friedman pledged total support for the affirmative action plan.

Ms. Andrea Winchester requested to be placed on the agenda for June 13, 1974, for the Council's response to their report. City Manager Davidson indicated that his report would be forthcoming, but one week was insufficient time.

#### NEW DIRECTIONS IN AUSTIN PROJECT

Ms. Shirley Sample, Director of New Directions In Austin, appeared before the Council regarding the project. She preceded her presentation by introducing the members of the Advisory Board. She stated that she was a 3-time convicted felon and contributed her rehabilitation, growth, and success in life to the New Directions Club Inc. program in Houston, directed by Mr. Sonny Wells, a 5-time convicted felon. She indicated that New Directions in Houston was established in 1970 by Mr. Wells for the purpose of aiding the man coming from the prison system in his readjustment to society and that since its beginning, New Directions had grown to the point that they have four facilities within Harris County and one facility in Galveston. She noted that in four years 800 men and women had been served in Harris County, and 31 of the 800 returned to prison with four of the 31 committing crimes. She announced that she had obtained oral and written permission from Mr. Wells to carry the name of New Directions in establishing a program in the Austin community.

She indicated that the residence for the program was a modern middle-class home located at 3906 Manchaca Road and had been incorporated as of June 3, 1974, as a non-profit charitable organization to assist in the operation of a Post Release Program for women ex-offenders in Austin and Travis County. She added that a Board of Directors and staff had been established and that rental and lease of the property began May 15, 1974. She noted that all of the basic needs of the residents would be provided and that the program was designed for a 90-day stay on the part of the women. She further noted that New Directions would work with all agencies in Austin and utilize the services of all concerned citizens.

She requested two things from the Council:

1. Written endorsement of the program.
2. One-time help in the way of immediate funds that might be available. She requested an approximate \$4-5,000 which would go directly toward facility use.

She thanked the Council for the opportunity to appear before the Council and invited everyone to attend the house warming on June 8 and 9 from 3 to 5 p m. In conclusion, she indicated that it was their goal to begin operations on July 1.

In response to Councilman Lebermann's question, she introduced Ms. Margaret Gillan, Chairman of the Board of Directors, who indicated that Ms. Sample would be the Executive Staff Director with the following as members of the Board:

Mrs. Hallie Bell Thomas - Methodist worker  
Mr. Ron Cartlidge - President of the Austin Jaycees  
Mr. Alvin A. Burger - former Head of the Texas Research League

She added that in addition to the Board, there was an Advisory Counsel representing different organizations and people community-wide concerned with the City. In response to Mayor Butler's question, she stated that they had promises from the private sector totaling almost \$6,000 to help them before December 1 and that they had applied to the Moody Foundation for a grant and to others that would not be effective until January, 1975.

In response to Mayor Butler's inquiry, Ms. Sample indicated that she had contacted Mr. Giles Garmon, Adult Probation Department, and the Board of Pardons and Parole, had been on the radio, and had had newspaper coverage. City Manager Davidson suggested that the staff should try to contact certain members of the Criminal Justice Advisory Counsel and come back to Council with a report with some kind of a recommendation. He thought that the staff needed to meet with these people and determine how long \$4-5,000 would fund the program, what the expectations would be for the next year, etc. Ms. Sample reiterated that the funds that were requested would go directly for the use of the facility, to pay the rent until January, to buy the food for the women and the residents, and to pay the utilities.

Mayor Butler indicated that he had met with these ladies and was impressed with their program. In response to Mayor Butler's question, City Manager stated that he could have a report for Council June 13, 1974, because of the work already done. Mayor Butler requested that the organization be in contact with Mr. Joe Liro, Management and Budget Administrator, prior to their June 13 appearance.

#### DEVELOPMENT OF NEW SUBDIVISIONS

It was noted that Mr. Henry M. Streety had requested to appear before the Council regarding the development of new subdivisions; however, upon Mr. Streety's request, this matter was postponed until July 11, 1974.

## PROPOSAL FOR LIMITATIONS OF BUILDING PERMITS

It was noted that Mr. Michael Smith, representing Save Austin's Valuable Environment (SAVE), had requested to appear before the Council to request a public hearing concerning a proposal for limitations of building permits for Austin. Because Mr. Smith was not in attendance, this matter was not considered.

## PROPOSAL FOR HEARING TO CONSIDER PROPOSED GAS RATE INCREASE

Mr. Robert M. Laczko, District Manager for Southern Union Gas Company, indicated that on June 3, 1974, the Company had filed an application for a gas rate adjustment reflecting an increase of 13.73%. He added that his purpose in appearing before the Council was to request that Council set a public hearing on their application for a rate adjustment at its earliest convenience. He also requested that at the first public hearing, his Company be permitted to present testimony in support of its application and at a subsequent hearing or hearings and following an analysis of Southern Union's position and complete examination of their books and records by representatives of the City, the City would have the opportunity to present its position.

In response to this, Mr. Don Butler, City Attorney, indicated that he would be in accord with Mr. Laczko's request; however, he wanted an opportunity to deal on a preliminary basis on the application prior to the first hearing. He noted that Mr. George Hess, the professional consultant for this matter, had just received the application and had requested additional time. Mr. Butler suggested that this be postponed until June 13, 1974, for final decision on a possible date for the afore-requested public hearing.

## REQUEST CONCERNING ROCK COVE HOMEOWNER'S ASSOCIATION

Mr. G. Marsh, representing Alan I. Jones Development Company, Dallas, Texas, appeared before the Council to request the removal and invalidation of the declaration of covenants, conditions and restrictions for Rock Cove Homeowner's Association, Inc. He reviewed the basis for his request by stating that the company had bought a tract of land from a previous owner that had filed a plat known as "Rock Cove 1" in 1972 with all restrictive covenants set forth in the declaration of covenants, conditions, and restrictions. He added that the original owner and developer could not raise the capital to develop the area; and nothing was done, and the land stood as it was in 1972. He indicated that the new owner had processed through the Planning Commission the withdrawal of the original Rock Cove plat and the filing of a new one. He further indicated that they were about to close the transaction on the land, and the title company had objected to these covenants remaining on the books. He requested that the Council approve the withdrawal and invalidation of the declaration of covenants, conditions, and restrictions recorded in Volume 4425, Page 135, Deed Records of Travis County, Texas.

Mr. Dick Lillie also reviewed this matter by stating that planned unit development was approved by the Commission in the early 70's and that part of the PUD ordinance was the filing of a set of covenants and restrictions, home owner's association papers, and the recording of those papers at the Travis County Courthouse. He indicated that subsequent to that action, they had the

filing of Section 1 of that Planned Unit Development in June, 1972; and in February, 1974, that subdivision was invalidated in that they withdrew it. He added that through the withdrawals of the subdivision and Planned Unit Development, the Association's covenants were no longer needed and that no property was ever sold to any other owner. In response to Councilmen Lebermann's and Binder's questions, Mr. Lillie stated that this would not encumber the City and that he concurred.

Councilman Lebermann moved that the Council adopt a resolution authorizing release of the covenants, conditions, and restrictions for Rock Cove Homeowner's Association, Inc., as recorded in Volume 4425, Page 135, in the Deed Records of Travis County. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Handcox, Lebermann, Mayor  
Butler  
Noes: None  
Absent: Councilman Dryden, Mayor Pro Tem Love

RECESS

The Council recessed at 3:20 p.m. until 7:00 p.m.

Recessed Meeting

7:00 p.m.

The meeting was called to order with Mayor Butler presiding, noting that Councilman Dryden was absent because of vacation and that Mayor Pro Tem Love was absent.

FIESTA GARDENS LAND ACQUISITION AND DEVELOPMENT

It was noted that the Council would consider a City Manager's report on the Fiesta Gardens land acquisition and development. City Manager Davidson indicated that a report had been compiled that dealt with the following:

1. Plan for expansion and improvements of the Fiesta Gardens area.
2. Recommended relocation program for those people who would be displaced by the improvement.

MR. JACK ROBINSON, Director of Parks and Recreation, appeared to present the Council with basic information concerning the plan itself and what would be proposed. He indicated that the Town Lake concept went back to the early 20's, but in 1945 the City started acquiring property and had been acquiring property on through to the present time. He noted that in 1963 the Council hired the consultant firm of King, Taniguchi, and Zisman and directed them to prepare a land use plan for Town Lake, which the Council approved in 1964. He added that the Parks and Recreation Department started preparing a development plan in 1967, submitted it to the Council in 1968, and it was

approved in 1968. He reviewed an area map which was the basic Town Lake plan with a few minor changes. He noted that acquisition of land for Fiesta Gardens had begun in 1963, and after the halt of transactions and purchases, they began again this past fall and spring. He also reviewed a chart showing the land purchased in that area by the City and the land to be purchased in 1975.

He indicated that the Parks and Recreation Department had recommended that the City continue this acquisition policy in that this area was very heavily used for Aqua Festivals, boat races, and rental of the clubhouse. He noted that the property in question was on the corner of Bergman and Chicon and that there was only a small access to the clubhouse along the lagoon. They felt that by acquiring this additional property this would allow the expansion of this area and would better accomodate and develop the Fiesta Gardens area for general public use. He added that this would give better access to the existing facilities and give some parking in that area by moving Bergman north to allow better entrance, better access, and an area to plant material between Fiesta Gardens and the residents as a buffer for them and the Gardens.

He stated that this was the conceptual plan and was hoping to have this area completed during the Bicentennial year. In conclusion, he indicated that the Parks and Recreation Department recommended the continuation of the plan as approved in 1968 and the purchase of land. He felt that this purchase was essential for the development of this area and would be beneficial to the City, Parks and Recreation system, and the people as a whole.

Councilman Friedman was in doubt as to what the City expected to gain and whether or not the revenue generated by Fiesta Gardens would increase to a substantial figure that would justify moving these families. Mr. Robinson felt that the City would be gaining an area that would allow them to develop an area that would better accomodate the people who would be using this for parks and recreation purposes. There was further discussion between Councilman Friedman and Mr. Robinson with regard to the moving of the families and the necessity for the excess parking. Mr. Robinson noted that their concern was for the relocation of the families, and they were trying to help the people not hurt them. He added that they would not have requested this without thinking about the overall need. After further discussion, Councilman Friedman suggested that there might be some possibility of keeping this the same; and as time went by and people moved, the City could purchase the land in this manner. City Manager Davidson realized that some of the people did not wish to relocate; however, he added that one of the problems anticipated by the Parks and Recreation Department was the discomfort caused by the number of people who would be in the area during any of the events.

In response to Mayor Butler's question, Mr. Robinson did not have the actual number of people who were willing to relocate and of those who were not. In response to Mayor Butler's inquiry as to the number of persons involved, MR. JOE MORAHAN, Director of the Property Division, indicated that there were 17 parcels with 6 having been purchased by the City, and 11 still to be purchased. Of the 11, Mr. Morahan indicated that negotiations had begun under normal procedures, and it was difficult to determine if they were not willing to move or were unhappy with the price offered.

Mr. Morahan summarized the second portion of the report that had been given to the Council by noting that this section described the land acquisition procedures for projects involving displacement of occupants:

1. Brief explanation of City's present procedures for buying land on a non-federal basis. This would be a notice to owner, process of appraising, negotiations, acquisition, and clearing.
2. Some of the differences between federal and non-federal procedures.
  - a. Under federal procedures, written notice offers documentation upon determination processes.
  - b. Shortly after offer is made, relocation benefits under the Uniform Act are provided on federal projects. The Uniform Act is divided into three areas:

Title 1 - general provisions section.

Title 2 - uniform relocation assistance.

Title 3 - real property acquisition policies.

He reviewed Title 2 and the three basic areas of relocation assistance:

1. Moving and related costs.
2. Replacement housing which would involve the difference between what was being offered as market value and what it would actually take to relocate.
3. Relocation advisory assistance which would contain such things as current and continuing information on the availability prices and rentals of comparable sales and housing meeting the D.S.S. requirements and assistance in actually obtaining and becoming established in a suitable replacement location.

He indicated they were recommending the adoption of the relocation program for the benefits to be gained by Austin and its citizens to be displaced by public projects, current or future.

1. Benefits to the City through the increased confidence of the citizens in the overall acquisition program. They felt that in many cases they would be able to acquire by negotiations property that otherwise might have to be acquired through eminent domain proceedings.
2. Benefits to the citizens by the establishment of policies that would provide for fair and equitable treatment of those displaced.

He reiterated that it was the staff's recommendation that the Council approve and adopt a residential relocation assistance program as represented by the draft of the program attached to the report and that the Council authorize the City Attorney to prepare the necessary ordinance for formal consideration.

In response to Mayor Butler's question as to what the relocation program would do for the people, Mr. Morahan hoped it would get them into a suitable replacement house acceptable to them and would pay for their move. As an example, he cited a house worth \$6,000 or \$7,000 and occupied by a person with a reasonably large family and that according to the Housing Standards Code and the difference between what the home would actually be worth and what it might cost to relocate the family, the difference might be \$3,000; and the relocation program would pay for that difference and pay for the difference in interest, if any; would pay for all moving and dislocation costs; and would provide an advisory service to actually help them accomplish this move.

In response to Councilman Binder's question, Mr. Morahan indicated that the replacement house would be an equivalent or better. In response to Councilman Friedman's question, Mr. Morahan indicated that the limitation on relocation benefits was \$15,000. Mayor Butler wondered if since there were 11 families that were involved in this, if the Council could give the administration some time to visit individually with each of the 11 and see if they could reach a satisfactory solution without going forward. Councilman Friedman commented that this relocation concept had been needed for a long time. Mr. Morahan noted that one of the good points about the recommendation was the utilization of the Urban Renewal Agency's relocation personnel and that were already well schooled in the application of relocation assistance.

Councilman Friedman moved that the Council instruct the City Attorney to bring back to Council in complete form a City of Austin residential relocation program along the lines drafted by the staff including the placement of this under the operation of Urban Renewal staff with the understanding that this will be applicable to all City purchases. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Friedman, Handcox, Lebermann  
Noes: None  
Absent: Mayor Pro Tem Love, Councilman Dryden

Mr. Morahan pointed out that there had been another recommendation included in the report to the effect that the staff did not believe that the six people who sold their property in cooperation with the City should be penalized by the loss of these benefits and recommended that it be retroactive to January 1, 1974. Councilman Friedman noted that this was part of his motion by specifying the adoption of the staff's draft.

#### HEARING

Mayor Butler opened the public hearing scheduled for 7:00 p.m. to consider the acquisition of property in the Fiesta Gardens area. MS. JOSEPHINE GUERRERO, Chairman of the East First Street Center Advisory Committee, appeared representing the concerned Fiesta Garden residents. She thanked the Council for the opportunity of allowing them to appear. She indicated that at the last

meeting of the group on March 27, those who attended voted unanimously to come before the Council and ask them to halt their plans for any further land acquisition and to preserve their community. She noted that most of the people involved in this proposal were elderly, low-income people with a language barrier and felt that their rights had been intimidated and were dissatisfied with the approach that had been used. It was her opinion that the City was defeating the meaning of the Bicentennial celebration by taking away these people's rights.

MR. MIKE HARTON appeared on behalf of his parents, Mr. and Mrs. Arnold Harton, 2001 Bergman. He indicated that they had lived there for about 27 years and that his parents were nearly in their 60's and were ready for retirement and did not wish to be "uprooted."

MR. JOE HERNANDEZ indicated that he had found another home for \$9,000 but that he could not afford it because he could only get \$5,000 for his own home. He noted that he just wanted a place to live and was willing to relocate if the City would make this possible.

MR. PHILLIPE GONZALES appeared and spoke in Spanish; therefore, Ms. Guerrero translated by noting that he had stated that he lived in his home for 34 years and felt that there were other areas for parking. He felt that it would be a discredit to the people to take them away from their homes and hoped that Council would take this into consideration. In response to Mayor Butler's question, he indicated that he would not be willing to sell to relocate.

MR. PAUL ALVAREZ noted that his father had sold their home and was scheduled to move in June but that they had discussed this and decided that it was not fair because the people were not being offered enough money and did not want to move. Ms. Guerrero noted that Mr. Alvarez had not been able to get a loan for the replacement home because of his age and that his son, Paul, had to take one out to make up the difference.

MR. JESSE SEGOVIA felt that the City did not have sufficient reason to acquire the land in the Fiesta Gardens area. He stated that he had lived at 4010 Bergman for 13 years and had just recently paid for his home and did not want to move.

MR. TOM ZUNIGA, President of the East Austin Civic Association, noted that he was not a resident of the area but became involved because of phone calls from residents effected by this proposal who had requested that he appear for them and give a summation of their feelings. He pointed out that they were there because they wanted to be treated right and with dignity and felt that the City had not dealt with them freely. He indicated that they would "go without a fight" and had up until this point, but they did not want to go. He felt that the City would have to prepare these people for the move in that they would have to bridge the language and cultural barriers. He requested that the Council think about what they were doing and discontinue the expansion of Fiesta Gardens.

MR. JOE B. MOORE, 2006 Bergman, spoke from the audience and stated that he had not been contacted and was in doubt as to whether or not he would be effected by this proposal. It was pointed out that he would be involved in next year's acquisition.

MR. PAUL HERNANDEZ, Brown Berets, was proud of Mr. Gonzales because he had given the Council a chance to feel the frustration of what was going on but added that it had just been a small "taste."

MR. GAB GUTIERREZ asked questions of Mr. Jack Robinson in reference to this plan. They discussed various aspects of the proposal with the possibility of other alternatives, and Mr. Robinson indicated that this was only a conceptual plan and was flexible at this point. He asked the Council in its commitment and affirmation to community control and the preservation of residential neighborhoods not to displace residents by expanding Fiesta Gardens and that monies be allocated to residents around Town Lake to repair their own property.

In response to Councilman Binder's question with regard to whether or not the staff utilized a Spanish-speaking person at the time negotiations were taking place, Mr. Morahan indicated that there were usually children in the household or a neighbor who could interpret. Councilman Binder requested that in future negotiations someone from the staff act in that respect.

MR. JOE WITHERSPOON, III, representing Ms. Zelma Martinets, who had lived in the area for 27 years and had run a business for 20 years, hoped that under the Capital Improvement Program that the loss of value in a business would be considered. He did not understand why this was considered a depressed area and should bring less value than those areas across the lake.

MR. GERALD CREESE, Chairman of the Social Concerns Committee at St. Luke's Methodist Church located on West Lynn Street, felt that because it seemed that the people did not understand what had taken place at the time of negotiations, the City should leave the property as is and come up with an alternate plan. He mentioned the possibility of some sort of transportation system for the elderly for that area. He suggested that any interested organizations get with the architectural students at the University and propose an alternate plan and move on from there.

Councilman Friedman said that he had seen only one plan and that since there was no immediate necessity to press on, in at least the next couple of months, he proposed that a break be taken and perhaps the Brown Berets and the East First Street Neighborhood Center could get together with some of the architect students or others and propose an alternative plan. He proposed that since two of the Council members were absent, Council hold off for a while; and when Councilman Dryden returned, another meeting be set. In the meantime, discussions could be held to have a better understanding; but no one would be moved, and no purchases would be made.

Mayor Butler agreed that the staff visit with some of the people, as suggested by Mr. Witherspoon, and have non-binding discussions on a one-to-one basis to communicate better. Councilman Friedman stated that the people who already had sold should be contacted immediately also. He did not think it would hurt to talk as long as the people understood they were not bound to agree to anything. He said that he was not convinced that there were not alternative plans, and he would like to see some of the alternatives drawn; and maybe they could accept those.

Councilman Friedman moved that the Council vote to proceed along the lines discussed until some time in July when the Council could get the groups together and have alternative plans presented, and have the staff in the meantime talk to potential purchases by the City and those who had already sold to the City. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

Absent: Mayor Pro Tem Love, Councilman Dryden

Councilman Lebermann, speaking for the Council, thanked those who attended for expressing their views as it would be extremely useful to the Council and staff alike.

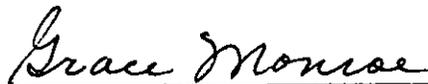
ADJOURNMENT

The Council adjourned at 9:00 p.m.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk